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10 Village Association, Inc.

11 **IN THE COURT OF APPEALS**

12 **STATE OF ARIZONA**

13 **DIVISION ONE**

14 ROBERT R. HAWK and CECILIA J.
15 HAWK,

16 Plaintiffs/Appellees,

17 vs.

18 PC VILLAGE ASSOCIATION, INC.,

19 Defendant/Appellant.

No. 1 CA-CV 12-0362

No. CV2011-00776

Coconino County Superior Court

**JOINT REQUEST TO
RESCHEDULE ORAL
ARGUMENT DUE TO
SCHEDULING CONFLICT**

20 On February 8, 2013, this Court provided Notice of Oral Argument in this
21 matter, setting Oral Argument for March 19, 2013 at 10:15 a.m. Counsel for
22 Appellant requests, and counsel for Appellees has no objection to, a rescheduling of
23 the oral argument due to the following conflicts with Appellant's counsel's
24 schedule.

25 In the past two weeks, undersigned counsel received two additional orders
26 from this Court in counsel's cases. One re-scheduled an oral argument in *Chasan v.*
27 *Farmers Insurance Exchange, et al.*, 1 CA-CV 12-0397, from March 12, 2013 to
28 March 20, 2013, which is just one day after the oral argument in the present appeal.

1 The other order set March 15, 2013 as the deadline for counsel to file an Opening
2 Brief in an exceptionally complex set of appeals, *ML Manager, LLC, et al. v.*
3 *Fidelity National Title Ins. Co.*, 1 CA-CV 12-0726, and *Fidelity National Title Ins.*
4 *Co. et al. v. Centerpoint Mechanic Lien Claims*, 1 CA-CV 12-0721 (“Centerpoint
5 cases”), which have now been consolidated for appeal.¹ In light of the complexity
6 of the Centerpoint appeals for which the Consolidated Opening Brief is due Friday,
7 March 15th, undersigned counsel will not be able to prepare for these two oral
8 arguments until after the Consolidated Brief is completed. That would only give
9 counsel three days (counting the weekend) to prepare for the two arguments on
10 March 19 and March 20.²

11 For the foregoing compelling reasons, the parties agree these conflicts
12 constitute good cause to reschedule Oral Argument in this matter and respectfully
13 request this Court to reset the Oral Argument to an available date between March
14 25 and April 9, 2013. Counsel for Plaintiffs/Appellees is unavailable May 21
15 through June 4, 2013.

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¹ The Centerpoint cases, and several others currently in the superior court, relate to the insolvency and ultimate collapse of Mortgages Ltd. -- once one of Arizona’s largest private lenders run by now-deceased multi-millionaire, Scott Coles. Each of these cases arose from competing liens on several large-scale commercial projects, all of which ceased construction when Mortgages Ltd. stopped funding the loans and was forced into bankruptcy. The factual and procedural history, as well as the issues, in the consolidated Centerpoint appeal are highly involved and complex.

² Counsel will also be out of state from March 4-6, 2013.

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RESPECTFULLY SUBMITTED this 25th day of February, 2013.

JONES, SKELTON & HOCHULI, P.L.C.

By /s/ Lori L. Voepel

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